

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
JOSEPH STEVENS & COMPANY, INC., :  
:  
Peitioner, :  
:  
-against- :  
:  
DAVID CIKANEK, :  
:  
Respondent. :  
:  
-----X

Civil Action No.  
07 CV 3385 (BSJ)

**DECLARATION OF MARTIN P. RUSSO  
IN SUPPORT OF APPLICATION TO VACATE**

**EXHIBIT F**

**J. Stevens & Co., Inc.**  
 591 Madison Lane, 32nd Floor  
 New York, NY 10038  
 Member NASD, SIPC  
 Tel: 800-609-9000

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DELAWARE CHARTER G&T CO TR  
 DAVID M CIKANEK IRA R/O  
 6141 W GRAND AVENUE  
 CHICAGO IL 60639-2743

|||||

**Your Account Executive:**

DANIEL CLAPS  
 (212) 361-3000

# Brokerage

## Account Statement

Account Number: 440-750046  
 Statement Period: 06/01/2006 - 06/30/2006

### Valuation at a Glance

Beginning Account Value	This Period
Dividends/Interest	\$1,168.00
Change in Account Value	0.02
Ending Account Value	\$1,165.42
Estimated Annual Income	\$0.11

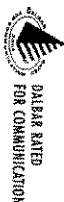
### Asset Allocation

	Value	This Period	Percent	Allocation
Cash and Cash Equivalents	6.00	6.02	1%	Asset Allocation percentages are rounded to the nearest whole percentage.
Equities	1,162.00	1,159.40	99%	
Account Total	\$1,168.00	\$1,165.42	100%	

### For Your Information

Customers may have the ability to purchase and redeem mutual funds shares directly from the fund with no additional fee(s). We ask that you carefully review the information contained in the Customer Account Information section of your monthly statement. If the information provided is either incorrect or missing, please indicate any corrections on the attached Customer Account Information section and return it to: Joseph Stevens & Co., Inc.

Attn: Customer Service  
 59 Maiden Lane, 32nd Floor  
 New York, NY 10038  
 Once we receive the information, we will update our records accordingly and the updated information will be provided on your next monthly statement. We want to thank you for taking the time to review the information.



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**Customer Service Information**

Your Account Executive: YIU

**Contact Information**

DANIEL CLAPS  
JOSEPH STEVENS & CO., INC.  
59 MAIDEN LANE 32ND FLOOR  
NEW YORK NY 10038-4624

Telephone Number: (212) 361-3000  
Fax Number: (212) 361-3333  
E-Mail Address: customerservice@josephstevens.com

**Customer Service Information**

Service Hours: Weekdays 08:00 a.m. - 05:00 p.m. EST  
Customer Service Telephone Number: (212) 361-5390  
Web Site: www.josephstevens.com

As you requested, copies of this statement have been sent to:  
DELAWARE CHARTER

**Transactions in Date Sequence**Process/  
Settlement

Date

Activity Type

Description

Quantity

Price

Accrued Interest

Amount

06/15/06

MONEY MARKET FUND  
INCOME RECEIVED

CORTLAND GEN MNY MKT

0.02

**Total Value of all Transactions****\$0.02**

The price and quantity displayed may have been rounded.

**Portfolio Holdings**

Quantity	Description	Opening Balance	Closing Balance	Accrued Income	Income This Year	30-day Yield
<b>Cash and Cash Equivalents 1.00% of Portfolio</b>						
Money Market						
6.020	CORTLAND GENERAL MNY MKT FUND	6.00	6.02	0.01	0.11	4.11%
<b>Total Money Market</b>		<b>\$6.00</b>	<b>\$6.02</b>	<b>\$0.01</b>	<b>\$0.11</b>	
<b>Total Cash and Cash Equivalents</b>		<b>\$6.00</b>	<b>\$6.02</b>	<b>\$0.01</b>	<b>\$0.11</b>	

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DELAWARE CHARTER  
FOR COMMUNICATION


Account Number: 440-750046  
DELAWARE CHARTER C&T CO TR

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**Pershing**

A NY Securities Group Co.  
Solutions from the Bank of New York

One Pershing Plaza, Jersey City, New Jersey, 07310  
Pershing LLC member NASD, NYSE, SIPC. Indemnified by Pershing Investments LLC.

  
**Stevens & Co., Inc.**  
 59 L. Jen Lane, 32nd Floor  
 New York, NY 10038  
 Member NASD, SIPC  
 Tel: 800-609-9000

# Brokerage

## Account Statement

Statement Period: 06/01/2006 - 06/30/2006

### Portfolio Holdings (continued)

Quantity	Description	Market Price	Market Value	Estimated Annual Income	Estimated Yield
<b>Equities 99.00% of Portfolio</b>					
<b>Common Stocks</b>					
52,500.000	AVIATION HLDGS GROUP INC COM Dividend Option: Cash Security Identifier: AHQ1Q	0.0100	525.00		
130.000	PORTAL SOFTWARE INC COM NEW Dividend Option: Cash Security Identifier: PRSF	4.8800	634.40		
<b>Total Common Stocks</b>			\$1,159.40		\$0.00
<b>Total Equities</b>			\$1,159.40		\$0.00
<b>Total Portfolio Holdings</b>			\$1,165.42	\$0.00	\$0.11

#### Disclosures and Other Information

Pricing - Securities prices may vary from actual liquidation value. Prices shown should only be used as a general guide to portfolio value. Prices are received from various pricing services. However, pricing services are sometimes unable to provide timely information. Where pricing sources are not readily available, particularly on certain debt securities, estimated prices may be generated by a matrix system taking various factors into consideration. The pricing of listed options takes into account the last closing price, as well as the current bid and offer prices. Where securities have not been priced, such securities have not been included in the Asset Allocation information at the beginning of this statement.

Reinvestment - The dollar amount of Mutual Fund distributions, Money Market Fund dividend income, Bank Deposit interest income, or dividends for other securities shown on your Statement may have been reinvested. You will not receive confirmation of these reinvestments. However, information pertaining to these transactions which would otherwise appear on confirmations, including the time of execution and the name of the person from whom your security was purchased, will be furnished to

you upon written request to your introducing firm. In dividend reinvestment transactions, Pershing acts as your agent and receives payment for order flow, the source and nature of which payment will be furnished to you upon written request to your introducing firm.

Option Disclosure - Information with respect to commissions and other charges incurred in connection with the execution of option transactions has been included in confirmations previously furnished to you. A summary of this information is available to you promptly upon your written request directed to your introducing firm. In order to assist your introducing firm in maintaining current background and financial information concerning your option accounts, please promptly advise them in writing of any material change in your investment objectives or financial situation. Expiring options which are valuable are exercised automatically pursuant to the exercise by exception procedure of the Options Clearing Corporation. Additional information regarding this procedure is available upon written request to your introducing firm.

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DALBAR RATED  
FOR COMMUNICATION

Account Number: 4A0-750046  
DELAWARE CHARTER C&T CO TR

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**Pershing**

• A BNY Securities Group Co.  
Solutions from The Bank of New York

One Pershing Plaza, Jersey City, New Jersey 07399  
Pershing LLC, member NASD, SIPC. (Member of Pershing Securities LLC)



**Money Market Fund Detail**

Date	Activity Type	Description	Amount	Share Balance
<b>Sweep Money Market Fund</b>				
<b>CORTLAND GENERAL MNY MKT FUND</b>				
Account Number: 0000069142 Current Yield: 4.18% Activity Ending: 06/30/06				
06/01/06	Opening Balance		6.00	6.00
06/15/06	Deposit	INCOME REINVEST	0.02	6.02
06/30/06	Closing Balance			<b>\$6.02</b>
<b>Total All Money Market Funds</b>				<b>\$6.02</b>

**Income and Expense Summary**

Dividend Income	Current Period		Year-to-Date	
	Taxable	Non Taxable	Taxable	Non Taxable
Money Market	0.02	0.00	0.11	0.00
<b>Total Dividends, Interest and Expenses</b>	<b>\$0.02</b>	<b>\$0.00</b>	<b>\$0.11</b>	<b>\$0.00</b>

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DALEK RATED  
FOR COMMUNICATIONAccount Number: 440-750046  
DELAWARE CHARTER G&T CO TRClearing Through  
PAR-02-ROLL**Pershing**A BNY Securities Group Co.  
Solutions from The Bank of New YorkOne Pershing Plaza, Jersey City, New Jersey 07310  
Pershing LLC, member NASD, NYSE, SIPC. Trademark of Pershing Inc., LLC



**GENERAL INFORMATION****TERMS AND CONDITIONS**

1. All orders and transactions shall be solely for your account and risk shall be subject to the constitution, rules, regulations, customs, usages, rulings and interpretations of the exchange or market and the clearing facility, if any, where the transactions are executed and/or settled, or if applicable, of the National Association of Securities Dealers, Inc. and to all applicable laws and regulations.
2. Whenever you are indebted to Pershing LLC ("Pershing") for any amount, all securities held by it for you in any account in which you have any interest shall secure all your liabilities to Pershing, and Pershing may in its discretion at any time, without tender, demand or notice to you, close or reduce any or all of your accounts by public or private sale or purchase or both of all or any securities carried in such accounts, any balance remaining due Pershing to be promptly paid by you.
3. Whenever you are indebted to Pershing for any amount, all securities carried for your account are or may be, without further notice to you, loaned or pledged by Pershing, either separately or under circumstances which will permit the commingling thereof, with other securities for any amount less than, equal to or greater than your liabilities to Pershing, but not under circumstances for an amount prohibited by law.
4. Title to securities sold to you, where Pershing has acted as principal, shall remain with Pershing until the entire purchase price is received or until the settlement date, whichever is later.
5. Any free credit balance carried for your account represents funds payable upon demand which, although properly accounted for on Pershing's books of record, are not segregated and may be used in the conduct of its business.
6. You may have received confirmations for transactions which do not appear on your statement. If so, the transactions will appear on your next periodic statement. Such transactions must be considered by you when computing the value of your account. This is especially true if you have written options which have been exercised.
7. If you maintain a margin account, this is a combined statement of your general account and a special memorandum account maintained for you under Regulation T of the Board of Governors of the Federal Reserve System. The permanent record of the separate account as required by Regulation T is available for your inspection upon request.
8. Interest charged on debit balances in your account appears on the statement. The rate of interest and period covered are indicated. The rate may change from time to time due to fluctuations in money rates or other reasons. Interest is computed as described in material previously furnished to you. Please contact your financial institution if you desire additional copies.
9. A financial statement of Pershing is available for your personal inspection at Pershing's offices. A copy of it will be mailed upon your written request or you can view it online at Pershing.com.
10. This statement should be retained for your records.
11. Dividends, interest and other distributions shown on the statement were classified as taxable or nontaxable based on certain information known as of the distribution date. This classification is subject to change and is solely intended for use as general information. After year end, Pershing is required to provide tax information to the Internal Revenue Service and other governmental authorities. At that time Pershing will provide that information on the annual tax information statement to you, use that statement to prepare your tax filings. The tax statement also includes other useful information to assist in accumulating the data to prepare your tax returns.
12. Pershing does not provide tax, investment or legal advisory services and no one associated with Pershing is authorized to determine the appropriate tax treatment of their business.
13. Pershing provides account protection for the net equity of securities positions and cash held in your account. Of this total, the Securities Investor Protection Corporation (SIPC) provides \$500,000 of coverage, including \$100,000 for claims for cash. Pershing provides additional protection on terms similar to SIPC for account net equity in excess of \$500,000 through a commercial insurer. The account protection applies when a SIPC member firm fails financially and is unable to meet obligations to securities clients, but it does not protect against losses from the rise and fall in the market value of investments.
14. Pershing trades for its own account as a market maker, specialist, odd lot dealer, block positioner, arbitrageur and/or investor. Consequently, at the time of any transaction you may make, Pershing may have a position in such securities, which position may be partially or completely hedged.
15. If average price transaction is indicated on the front of this statement your financial institution or Pershing may have acted as principal. The statement will be deemed conclusive and no Pershing at One Pershing Plaza, Jersey City, NJ 07399, Attn: Compliance.
16. The statement will be deemed conclusive and no Pershing at One Pershing Plaza, Jersey City, NJ 07399, Attn: Compliance.

**PORTFOLIO HOLDINGS**

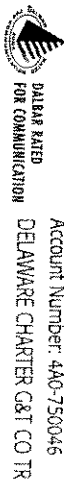
This section includes the net market value of the securities in your account on a settlement date basis, including short positions, at the close of the statement period. The market prices have been obtained from quotation services, which we believe to be reliable; however, we cannot guarantee their accuracy. Securities for which a price is not available are marked "N/A" and are omitted from the total. The Annual Income, which is an estimated figure, is the current interest or most recently declared dividend for each security and is annualized. This figure partially or equally mutual funds can vary substantially from one year to the next. As a result, actual amounts to give the Estimated Yield which too could vary substantially because the income is estimated and it does not take account of your holding period. Annual income has been obtained from sources believed to be reliable, but no assurance can be made as to accuracy. Accrued interest represents interest earned but not yet received.

**THE ROLE OF PERSHING**

Pershing carries your account as clearing broker pursuant to a clearing agreement with your financial institution. Pershing may accept from your financial institution without inquiry or investigation (i) orders for the purchase and sale of securities and other property and (ii) any other instructions concerning your account. Pershing is not responsible or liable for any acts or omissions of your financial institution or its employees and it does not supervise them. Pershing provides no investment advice nor does it assess the suitability of any transaction or order. Pershing acts as the agent of your financial institution and you agree that you will not hold Pershing or any person controlling or under common control with it liable for any investment losses incurred by you.

If any of the above Terms and Conditions are unacceptable to you, please notify Pershing immediately in writing by certified mail to One Pershing Plaza, Jersey City, NJ 07399, Attn: Compliance.

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Account Number: 440-750066

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For a full and complete description of the various key functions at the direction of your financial institution, it acts as custodian for funds and securities you may perform directly or through your financial institution or that it receives as the result of securities transactions it processes, inquiries concerning the positions and balances in your account may only be directed to the **Pershing Customer Service Department** at (201) 413-3333. All other inquiries regarding your account or activity should be directed to your financial institution. For a description of other functions performed by Pershing please consult the Disclosure Statement provided to you upon the opening of your account.

Your financial institution is responsible for adherence to the securities laws, regulations and rules which apply to it regarding its own operations and the supervision of your account, its sales representatives and other personnel. Your financial institution is also responsible for approving the opening of accounts and obtaining account documents, the acceptance and, in certain instances, execution of securities orders, the assessment of the suitability of those transactions, where applicable, the rendering of investment advice, if any to you and in general, for the ongoing relationship that it has with you.

**Pershing may capture and store data about you such as your financial information and investment objectives. However, Pershing is not reviewing this information and evaluating whether your investments comport with your financial status and objectives and you hereby release Pershing from any liability to do so. Similarly, Pershing may capture and store information about whether a broker or an introducing firm is registered in a given state. You hereby release Pershing from any liability to review this data or to evaluate whether a particular security is registered or exempt from registration in your state.**

This notice is not meant as a definitive enumeration of every possible circumstance, but as a general disclosure. If you have any questions regarding this notice or if you would like additional copies of the Disclosure Statement, please contact your financial institution.

**PAYMENT FOR ORDER FLOW PRACTICES**

The following statement is provided to you as required by Rule 11Ac1-3 of the Securities Exchange Act of 1934.

Pershing sends certain equity orders to exchanges, Electronic Communication Networks, or broker-dealers during normal business hours and during extended trading sessions. Certain of these venues provide payments to Pershing or charge access fees to Pershing depending upon the characteristics of the order and any subsequent execution. In addition, Pershing may execute certain equity orders as principal. The details of these payments and fees are available upon written request. Pershing receives payments for directing listed orders order flow to certain open exchanges. Compensation is generally in the form of a per option contract cash for order flow. Please refer to [www.pershing.com/orderflow.htm](http://www.pershing.com/orderflow.htm).

**Best Execution**

Notwithstanding the previous paragraph regarding payment for order flow, Pershing selects certain market centers to provide execution of over-the-counter and exchange-listed securities transactions which agree to accept orders, transmitted electronically to a specified size, and to execute them at or better than the national best bid or offer (NBBO). On certain larger orders, or if the designated market centers do not make a market in the subject security, Pershing directly contacts market centers to obtain an execution. The designated market centers to which orders are automatically routed are selected based on the consistent high quality of their executions in one or more market segments and their ability to provide opportunities for executions at prices superior to the NBBO.

If an order for an exchange-listed security is not immediately executable on the exchange to which it is routed, such order may be represented in the national marketplace using the various means available for price discovery. Pershing also regularly reviews reports for quality of execution purposes.

**ARBITRATION**

- **ARBITRATION DISCLOSURES:**
- **ALL PARTIES TO THIS AGREEMENT ARE GIVING UP THE RIGHT TO SUE EACH OTHER IN COURT, INCLUDING THE RIGHT TO A TRIAL BY JURY, EXCEPT AS PROVIDED BY THE RULES OF THE ARBITRATION FORUM IN WHICH A CLAIM IS FILED.**
- **ARBITRATION AWARD IS GENERALLY FINAL AND BINDING, A PARTY'S ABILITY TO HAVE A COURT REVERSE OR MODIFY AN ARBITRATION AWARD IS VERY LIMITED.**
- **THE ABILITY OF THE PARTIES TO OBTAIN DOCUMENTS, WITNESS STATEMENTS AND OTHER DISCOVERY IS GENERALLY MORE LIMITED IN ARBITRATION THAN IN COURT PROCEEDINGS.**
- **THE ARBITRATORS DO NOT HAVE TO EXPLAIN THE REASONS FOR THEIR AWARD.**
- **THE PANEL OF ARBITRATORS WILL TYPICALLY INCLUDE A MINORITY OF ARBITRATORS WHO WERE OR ARE AFFILIATED WITH THE SECURITIES INDUSTRY.**
- **THE RULES OF SOME ARBITRATION FORUMS MAY IMPOSE TIME LIMITS FOR BRINGING A CLAIM IN ARBITRATION. IN SOME CASES, A CLAIM THAT IS INELIGIBLE FOR ARBITRATION MAY BE BROUGHT IN COURT.**
- **THE RULES OF THE ARBITRATION FORUM IN WHICH THE CLAIM IS FILED, AND ANY AMENDMENTS THERETO, SHALL BE INCORPORATED INTO THIS AGREEMENT.**

**ARBITRATION AGREEMENT**

ANY CONTROVERSY BETWEEN YOU AND US SHALL BE SUBMITTED TO ARBITRATION BEFORE THE NEW YORK STOCK EXCHANGE, INC. ANY OTHER NATIONAL SECURITIES EXCHANGE ON WHICH A TRANSACTION GIVING RISE TO THE CLAIM TOOK PLACE (AND ONLY BEFORE SUCH EXCHANGE), OR THE NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

NO PERSON SHALL BRING A PUTATIVE OR CERTIFIED CLASS ACTION TO ARBITRATION, NOR SEEK TO ENFORCE ANY PRESUPPOSED ARBITRATION AGREEMENT AGAINST ANY PERSON WHO HAS INITIATED IN COURT A PUTATIVE CLASS ACTION, WHO IS A MEMBER OF A PUTATIVE CLASS WHO HAS NOT OPTED OUT OF THE CLASS WITH RESPECT TO ANY CLAIMS ENCOMPASSED BY THE PUTATIVE CLASS ACTION UNTIL: (i) THE CLASS CERTIFICATION IS DENIED; (ii) THE CLASS IS DECEASED; OR (iii) THE CUSTOMER IS EXCLUDED FROM THE CLASS BY THE COURT. SUCH FOREWAIVER TO ENFORCE AN AGREEMENT TO ARBITRATE SHALL NOT CONSTITUTE A WAIVER OF ANY RIGHTS UNDER THIS AGREEMENT EXCEPT TO THE EXTENT STATED HEREIN.

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One Pershing Plaza, Jersey City, New Jersey  
Pershing LLC, member NASD, NYSE, SIPC, Trademark of Pershing Investment LLC